



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,205	09/12/2000	James H. Parry	21706-04982	6898

7590 09/26/2003

MR. ROBERT W. HOLLAND
HAMILTON & TERRILE, LLP
8911 NORTH CAPITAL OF TEXAS HIGHWAY
SUITE 4150
AUSTIN,, TX 78759

EXAMINER

BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 09/26/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

1

Office Action Summary

Application No.
09/660,205

Applicant(s)
PARRY ET AL.

Examiner
REXFORD BARNIE

Art Unit
2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 12, 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 6) ☐ Other:

REXFORD BARNIE
PRIMARY EXAMINER

Art Unit: 2643

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kinoshita et al. (US Pat# 5,734,724).

Regarding claim 1, Kinoshita teaches a method of supporting communications among a plurality of communication terminals in (see figs. and disclosure) comprising of receiving an audio signal for instance from a plurality of terminals over a network for instance (see fig. 6, col. 5 lines 20-24), formulating one or more mixes of the audio signal (see mixing section of a central processing unit of figs.) and then sending the processed signal back to one of a plurality of the communication terminals.

Regarding claim 17, Kinoshita teaches a method of supporting communications among a plurality of communication terminals in (see figs. and disclosure) comprising of receiving an audio signal for instance from a plurality of terminals over a network for instance (see fig. 6, col. 5 lines 20-24), formulating one or more mixes of the audio signal (see mixing section of a central processing unit of figs.) and then sending the processed signal back to one of a plurality of the communication terminals. Furthermore, see for instance (fig. 6)

Art Unit: 2643

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kinoshita et al. (US Pat# 5,734,724) in view of Iizawa (US Pat# 6,008,838) or Scordo (US Pat# 4,558,180).

Regarding claims 2 and 22, Kinoshita fails to teach the claimed subject matter in detail but Iizawa teaches a multi-point system comprising of a decoding and encoding scheme in conjunction with an audio mixer in (see figs.). Furthermore, Iizawa teaches a level calculating circuit, level storage circuit, threshold storage section and so forth which can be used in controlling processing of audio signals.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iizawa thus making it able to process incoming and outgoing digital signals in for instance a multi-media environment.

5. Claims 3-16, 18-21 and 27-33 are- rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. (US Pat# 5,734,724) in view of Iizawa (US Pat# 6,008,838) or Scordo (US Pat# 4,558,180).

Art Unit: 2643

Regarding claims 3-9 and 18, Kinoshita fails to teach the claimed subject matter in detail but Iizawa teaches a multi-point system comprising of a decoding and encoding scheme in conjunction with an audio mixer in (see figs.). Furthermore, Iizawa teaches a level calculating circuit, level storage circuit, threshold storage section and so forth which can be used in controlling processing of audio signals for the different terminals.

Scordo teaches a programmable audio mixer in (see fig. 1) with room controls, audio detectors, a bridge and a microprocessor which can be used in controlling acoustic properties of communications in (see fig. 1, col. 1 lines 38-45 and disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iizawa or Scordo into that of Kinoshita thus making it possible to control the processing of signals to the various terminals based on parameters settings and so forth.

Regarding claims 10-12, 19-21, 23 and 28-30, The combination teaches an echo cancellation means in (see 26 of fig. 16 and AMP of fig. 16).

Regarding claims 13-14, 24-25 and 32-33, the combination including Kinoshita teaches controlling of amplification of signals and Scordo teaches determining allocation of resources to terminals involved in a communication session and would have been obvious to one of ordinary skill in the art at the time the invention was made to control allocation of resources to the terminals.

Art Unit: 2643

Regarding claims 15-16, The combination teaches using time delay and so forth in (see Scordo, Kinoshita).

Regarding claim 26, Kinoshita teaches a method of supporting communications among a plurality of communication terminals in (see figs. And disclosure) comprising of receiving an audio signal for instance from a plurality of terminals over a network for instance (see fig. 6, col. 5 lines 20-24), formulating one or more mixes of the audio signal (see mixing section of a central processing unit of figs.) And then sending the processed signal back to one of a plurality of the communication terminals. Furthermore, see for instance (fig. 6).

Kinoshita fails to teach the claimed subject matter in detail but Iizawa teaches a multi-point system comprising of a decoding and encoding scheme in conjunction with an audio mixer in (see figs.). Furthermore, Iizawa teaches a level calculating circuit, level storage circuit, threshold storage section and so forth which can be used in controlling processing of audio signals for the different terminals. Note that the room module could be a equivalent to the system of comparing taught by Iizawa by using the storage and processing means.

Scordo teaches a programmable audio mixer in (see fig. 1) with room controls, audio detectors, a bridge and a microprocessor which can be used in controlling acoustic properties of communications in (see fig. 1, col. 1 lines 38-45 and disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iizawa or Scordo into that of Kinoshita thus

Art Unit: 2643

making it possible to control the processing of signals to the various terminals based on parameters settings and so forth.

Regarding claim 27, The combination teaches mixing means in (see disclosure of the combination).

Regarding claim 31, the combination including Iizawa teaches the claimed subject matter.

6. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke (US Pat# 5,883,944) in view of Scordo. (US Pat# 4,558,180).

Regarding claim 34, Burke teaches a method of sharing signal processing resources to support communication among a plurality of communication terminals wherein a central pool of signal processing resources can be maintained and then based on the fact that a resource is available, it can be allocated to a terminal and then deallocating the resource if not being used (see disclosure) for conference calling and so forth.

Burke fails to teach the subject matter in a conversation setting in detail. Scordo teaches communication among a plurality of terminals wherein time slots, links and ports would be controllable resources with which communication among a plurality of terminals would be possible in (see cols. 8, col. 14 and so forth).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Scordo thus making it possible to successfully implement group conversation such as call conferencing by controlling allocation of resources.

Art Unit: 2643

Regarding claim 35, The combination teaches communication between a central pool and a telephone terminal to determine status of channels, time slots and so forth.

Regarding claim 36, the combination teaches signal processing resources including channels, telephone number, intercom identifiers, links, time slots or ports which can be controlled based on availability.

CONCLUSION

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to (703) 872-9314 and labeled accordingly (Please label "PROPOSED/INFORMAL" or "FORMAL").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

Rexford Barnie

Patent Examiner

RB 09/12/03.

RJBarnie
REXFORD BARNIE
PRIMARY EXAMINER